

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Robert A. Ries,

Plaintiff,

v.

Civil No. 10-1715 (JNE/JJK)  
ORDER

Winona County,

Defendant.

This case is before the Court on a Report and Recommendation issued by the Honorable Jeffrey J. Keyes, United States Magistrate Judge, on July 28, 2010. The magistrate judge recommended that Defendant's motion to dismiss be granted in part and denied in part and that Defendant's motion for a jury trial be granted. Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendant's Motion to Dismiss [Docket No. 6] is GRANTED insofar as it seeks dismissal of Plaintiff's claim for discrimination based on Plaintiff's status as a veteran.
2. Defendant's Motion to Dismiss [Docket No. 6] is GRANTED insofar as it seeks dismissal of Plaintiff's claim for punitive damages under Title VII or the ADEA.
3. Defendant's Motion to Dismiss [Docket No. 6] is otherwise DENIED.
4. Defendant's Motion for Jury Trial [Docket No. 16] is GRANTED.

Dated: August 31, 2010

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge